

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

JEREMY P. SPENCER

§

VS.

§

CIVIL ACTION NO. 1:16-CV-33

C/O AUGUST, *et al.*,

§

ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Jeremy P. Spencer, a pretrial detainee at the Jefferson County Correctional Facility, proceeding *pro se*, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 against defendants Lieutenant Ford, Correctional Officer August and Correctional Officer Droad.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends defendant Ford's Motion to Dismiss be granted as to plaintiff's official capacity claims but denied as to plaintiff's individual capacity claims.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**.

So **ORDERED** and **SIGNED** this **1** day of **May, 2017**.



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Ron Clark, United States District Judge